IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIGINAL SIDE

APPEAL NO. 706 OF 2004
IN
NOTICE OF MOTION NO.2399 OF 2004
IN
SUIT NO.2427 OF 2004

Vikram Motiram Jogal — Appellant
vs.
1. Rajyog Developers Private Limited
& ors. — Respondents.

Mr.Shailesh Shah i/b. Mr.Harish Pawar for the appellant.

Mr.A.J.Uniyah for respondents 1 and 3.

CORAM : R. M. LODHA &
J.P. DEVADHAR,JJ.

DATED : 4th November 2004

P.C.

Heard Mr.Shailesh Shah, the learned counsel for the appellant.

2. The notice of motion is pending before the learned motion Judge. By the impugned order, the learned motion Judge appears to have refused to grant ad-interim relief.

3. On the basis of the Memorandum of Understanding dated 14th March 2001 entered into between the appellant (plaintiff) and the respondent no.1. (defendant No.1) it does not appear that any title, right or interest has

been created in favour of the appellant in a flat admeasuring 400 sq.ft.

4. No case for entertaining the appeal is made out.

5. Dismissed in limine.

(R.M. LODHA,J.)

(J.P. DEVADHAR,J.)